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August 28, 2012

VIA ECF

Judge Faith S. Hochberg
United States District Court for the District of New Jersey
Martin Luther King, Jr. Federal Building & U.S. Courthouse
50 Walnut Street
Newark, NJ 07101

Re: *In Re: LG Front Loading Washing Machine Class Action Litigation*
Civil Action No. 08-51

Your Honor:

We write to address your April 19, 2012 order regarding LG USA's consumer declarations in opposition to Plaintiffs' Motion for Class Certification. (*See* 4/19/12 Tr. at 60:3-9, 98:11-14, 98:21-99:6, 100:5-13.) In particular, the Court ruled that both Parties' experts should be permitted to inspect the washing machines of those declarants who were willing to permit such an inspection.

On May 29, 2012, Parties sent a joint letter to each of the 51 declarants requesting permission to inspect their machines in accordance with this ruling. *See* Ex. A. Eleven declarants responded. Three of these responses were from consumers who purchased their machines after 2008, and the Parties agreed not to inspect those machines at this time. Of the remaining eight responses, the Parties were able to coordinate inspections of seven declarants in five states over a three-week period. The Parties' experts are currently evaluating the results of these inspections.

The Parties respectfully propose that they inform the Court of the experts' results, and the impact of those results on Plaintiffs' pending motion for class certification and both Parties' *Daubert* briefing, via simultaneous letter briefs of no more than 7 pages on October 15, 2012. These opening letter briefs would attach declarations from the Parties' respective experts concerning their findings. The Parties further propose that they submit simultaneous reply briefs of no more than 5 pages on October 22, 2012.

Respectfully submitted,

8/30/12

/s/ Jason L. Lichtman
LIEFF CABRASER HEIMANN &
BERNSTEIN, LLP

/s/ Andrew M. Johnstone
WINSTON & STRAWN, LLP

SO ORDERED:

JLL/AMJ

cc: All Counsel (via ECF & e-mail)

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Y. Faith S. Hochberg
Hon. Faith S. Hochberg, U.S.D.C.